

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David W. Bergevin Attorney Docket No.: DWBE551424
Application No.: 09/434,353 Patent No.: 6,346,131
Filed: November 3, 1999 Issued: February 12, 2002
Title: FERTILIZER COMPOSITIONS FOR ADMINISTERING
PHOSPHATES TO PLANTS

REQUEST FOR RECONSIDERATION OF PETITION TO ACCEPT UNAVOIDABLY
DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT

Seattle, Washington 98101

February 11, 2013

TO THE COMMISSIONER FOR PATENTS:

For the reasons stated below and supported by the Declarations provided herewith, applicant respectfully requests reconsideration of the Decision on Petition dated December 11, 2012 (the "Petition Decision"), and requests acceptance of the unavoidably delayed payment of the second maintenance fee and reinstatement of U.S. Patent No. 6,346,131 (the '131 Patent).

The Patentee for the '131 Patent submitted a Petition to Accept Unavoidably Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) (the "Petition") on November 29, 2012, eleven days after first learning that the second maintenance fee for the '131 Patent had not been timely paid. The relevant chronology that resulted in the failure to pay the second maintenance fee is presented in the original Petition.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS[®]
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

The Petition Decision finds that the Petition lacks the requirements of 37 CFR 1.378(b)(3), "The showing of record is inadequate to establish unavoidable delay within the meaning of 37 CFR 1.378(b)(3)¹."

The test for "unavoidable delay" uses the reasonably prudent person standard. "A patent owner's failure to pay a maintenance fee may be considered to have been 'unavoidable' if the patent owner 'exercised due care of a reasonably prudent person.' This determination is to be made on a 'case-by-case basis, taking all the facts and circumstances into account.'" (Petition Decision, page 4.)

An adequate showing requires:

(A) Statements by all persons with direct knowledge of the circumstances surrounding the delay, setting forth the facts as they know them.

(B) A thorough explanation of the docketing and call-up system in use, the type of records kept and the person responsible for the maintenance of the system, including copies of such records as may exist which would substantiate an error in docketing, and include an indication as to why the system failed.

(C) Information regarding the training provided to the personnel responsible for the docketing error, degree of supervision, examples of other work function carried out, and checks on the described work. (Petition Decision, page 6.)

¹ 37 CFR 1.378(b)(3) requires, "(3) A showing that the delay was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The showing must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly."

A. Statements by All Persons With Direct Knowledge of the Circumstances Surrounding Delay

The Patentee, David Bergevin, is the founder and president of Northwest Agricultural Products, Inc. ("NAP"). NAP is a small company, and was a very small company in 2006, when the clerical error occurred that resulted in the failure to timely pay the maintenance fee for the '131 Patent. (Supplemental Declaration of David W. Bergevin, paragraph 1.)

Because of the small size of NAP, the only persons with direct knowledge of the circumstances surrounding the delay in the payment of the maintenance fee are David Bergevin ("Bergevin"), Michelle Stewart ("Stewart") and Meg K. Maas ("Maas"). Bergevin, Stewart, and Maas have provided Declarations in the original Petition and provide supplemental Declarations herewith.

NAP produces and sells agricultural chemicals "incorporating the latest in agrotechnology, specifically natural product technologies and chemistries²." The agricultural chemicals industry is highly regulated, with regulations that vary from state to state. In the early years of the company and prior to the issuance of the '131 Patent, Bergevin maintained a paper calendar for tracking regulatory dates (with the help of his assistant) using his Franklin Planner. At about the time the '131 Patent issued, Bergevin assigned the task of maintaining the regulatory calendar to his office manager at the time, Kyle Hartmeier. (Supplemental Declaration of David W. Bergevin, paragraphs 3-4.)

Hartmeier transitioned the regulatory calendar onto a desktop computer using Microsoft Outlook. In addition to a number other regulatory deadlines, the regulatory calendar included the maintenance fee payment dates for the '131 Patent. Because the '131 Patent was the only patent

² www.nap-chem.com

for which NAP was responsible, Hartmeier specifically remembers that the '131 Patent maintenance fee dates were in the calendar at that time. In 2005 Hartmeier assigned responsibility for the regulatory calendar to Maas. Hartmeier provided one-on-one training to Maas and supervised her work. (Declaration of Kyle Hartmeier, paragraphs 2-5.)

The regulatory calendar was implemented on a standalone computer and included dates related to maintaining and tracking product registrations by state, business licenses, trademark applications and registrations, and patents licensed or owned. The regulatory calendar was set up to actively alert Maas of upcoming action items approximately one month before the due date.

Maas also has a specific memory that the regulatory calendar included dates associated with maintaining the '131 Patent because it was unique and she believed the '131 Patent to be important. Near the end of 2006, Maas decided to leave NAP to start a family. Prior to leaving Maas provided extensive one-on-one training and supervision to Stewart over a ten-week period and further consultation thereafter. Maas actively monitored Stewart's activities during training and was confident in Stewart's competence and ability to perform the job functions. (Supplemental Declaration of Meg. K. Maas, paragraphs 2-7.)

During the training period, the regulatory calendar data was transferred from Maas' standalone computer to Stewart's standalone computer. The data was transferred to Stewart's computer by Stewart, and the transfer was verified by Maas. Maas was confident at the time that all of the data had been successfully transferred. In addition, the Outlook data file for the regulatory calendar was directly copied from Maas' computer to Stewart's computer. NAP gave Maas her office computer, in part to facilitate her future consulting with Stewart. The computer was not new at that time and has long since been discarded. (Supplemental Declaration of Meg K. Maas, paragraphs 8-12.)

The duties of the Strategic Administrative Specialist requires tracking a large number of action items in the regulatory calendar, including state registrations for agricultural products, state business licenses and federal registrations, and patent and trademark matters. At the time Stewart was hired, NAP marketed over 300 agricultural chemical products, different subsets of which were offered in eight western states, each state having its own registration requirements. Although a listing of the specific items tracked in 2006 is not available, the product registrations, business licenses, trademark items, and patent items currently tracked in the regulatory calendar are listed in the Supplemental Declaration of Michelle Stewart, Exhibits A, B, and C.

As noted above, Stewart received training and oversight for an extended period of time after she was hired, including one-on-one training from Maas for about ten weeks, and continuing availability of consultation with Maas, which she did take advantage of. Although the ten weeks of one-on-one training was less than the four months originally planned, Stewart felt well-trained and capable. (Supplemental Declaration of Michelle Stewart, paragraphs 17-25.)

As noted above, during the training period, Stewart and Maas transferred the regulatory calendar from Maas' computer to Stewart's computer and verified that the data was correctly transferred. Stewart believed that all of the information from the regulatory calendar had been successfully transferred to her computer. As a backup, the Outlook data file from Maas' computer was also copied directly onto Stewart's computer. The copied data file provided a second alert for the action item dates. After about two years, finding no discrepancy in the alerts, the second data file was not retained. (Supplemental Declaration of Michelle Stewart, paragraphs 20-24.)

All of the other action items in the regulatory calendar were successfully transferred to Stewart's computer, and no action items other than the '131 Patent maintenance fee payments have been found missing. (Supplemental Declaration of Michelle Stewart, paragraphs 26-28.)

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS[®]PC
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

B. Explanation of the docketing and call-up system in use, the type of records kept and the person responsible for the maintenance of the system

The error resulting in the failure to timely pay the maintenance fee occurred as a result of the docket entry not being transferred from Maas' computer to Stewart's computer.

The regulatory calendar, by its nature, is a living document that is kept current to remove completed action items and to track upcoming due dates. The regulatory calendar tracks a large number of regulatory items, including dates for maintaining: (i) state registrations for agricultural products sold by NAP, (ii) state business licenses, (iii) federal registrations and/or reporting requirements for NAP products, and (iv) patent and trademark matters owned or licensed by NAP. The Decision on Petition specifically requires "copies of mail ledgers, docket sheets, filewrappers and such other records as may exist which would substantiate an error in docketing." (Emphasis added.) Due to the nature of the regulatory calendar, historical docketing records do not exist. (Supplemental Declaration of David W. Bergevin, paragraph 9, Declaration of Stephen Wolfe, Declaration of Craig Scott.)

As discussed above, the clerical error that resulted in the failure to timely pay the maintenance fee for the '131 Patent occurred in 2006, more than six years ago. NAP is currently a small company, and in 2006 it was a very small company. (Declaration of David W. Bergevin, paragraph 10.) It is reasonable that any company, and particularly a very small company, would not retain backup copies of a successful docketing system for an extended period of time.

The Petitioner has undertaken a thorough search of the paper and electronic records of NAP to look for such records. Stephen Wolfe, a consultant to NAP, has assisted Bergevin in reviewing Bergevin's own paper records, and in reviewing the paper records at NAP for any documentation that might still exist that would substantiate the error in docketing. Despite a

concerted effort to find relevant documentation, he was unable to find such documents. (Declaration of Stephen Wolfe.)

The current IT Manager, Craig Scott, was hired by NAP in 2008. Scott was tasked to search for any electronic documents that might exist, that would show the calendaring system from 2005-2006, or would substantiate an error in docketing. Unfortunately, the tape media in use at that time has been destroyed, and they no longer even have the hardware to read such media. Despite a concerted effort, no relevant electronic documentation was found to exist. (Declaration of Craig Scott.)

"Decisions reviving abandoned applications have adopted the reasonably prudent person standard." (Decision on Petition, page 4.) The "reasonably prudent person" standard is therefore also the appropriate standard regarding the retention of documentation such as backup records of calendaring data. It is manifestly reasonable that a company, and particularly a very small company, will not keep paper or electronic records of a calendaring system extending back more than six years.

The Decision on Petitions further states that the Petitioner must supply "an indication as to why the system failed to provide adequate notice that a reply was due."

The Petitioner tracked a large number of regulatory items in the regulatory calendar, and hired, trained and supervised personnel (the Strategic Administrative Specialist) to maintain the regulatory calendar. Every small company must deal with employee training and turnover. When Maas, the first Strategic Administrative Specialist communicated her intention to leave the position, the Petitioner hired Stewart to replace Maas and undertook the significant expense of providing for an extended (four months) one-on-one training period. Moreover, Stewart was given a separate computer, enabling Maas to take her computer home at the end of the training period, to facilitate consulting after the hands-on training period.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS[®]
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

The four-month training period was unavoidably shortened to ten weeks, for medical reasons. Nonetheless, Maas was confident that Stewart was competent in the position. (Supplemental Declaration of Meg K. Maas.) Maas' confidence has been proven to be well-placed by the successful execution of the action items in the regulatory calendar over the preceding six years.

However, it has only recently been discovered that a clerical error occurred in the routine business function of transferring data from Maas' standalone computer to Stewart's standalone computer in 2005, despite the verification steps undertaken by Maas³. Moreover, the Outlook data file from Maas' computer containing the Regulatory Calendar data was copied as a backup to Stewart's computer, and successfully provided a second alert to the SAS, which provided independent verification that the data had been successfully transferred. Unfortunately, after use of the backup Regulatory Calendar for an extended period of time (about two years) found no discrepancies, it was not retained. (Supplemental Declarations of Meg K. Maas and Michelle Stewart.)

The first maintenance fee for the '131 Patent was due and timely paid by the due date of February 12, 2006, demonstrating that the regulatory calendar at that time included the maintenance fee data for the '131 Patent. Unfortunately, the due date for the first maintenance fee occurred just prior to the transfer of the regulatory calendar from Maas' computer to Stewart's computer. The U.S. has four-year intervals between maintenance fee due dates. The two year period that the backup data file was retained on Stewart's computer was not sufficient to detect the clerical error. Clearly, if the due date for the '131 Patent maintenance fee had occurred

³ Transferring data between computers is a routine business function performed regularly by small businesses using standalone independent computers.

during the two-year period that the backup data file was in use, the second maintenance fee would have been timely paid.

C. Training and Supervision Provided to Strategic Administrative Specialist

As discussed in detail above and supported by the Declarations, NAP provided extensive, one-on-one training and supervision to the Strategic Administrative Specialists tasked with maintaining the regulatory calendar. The adequacy of the training may be inferred from the successful payment of the first maintenance fee for the '131 Patent, and with the successful compliance with the diverse regulatory requirements in the highly regulated agricultural chemicals industry across multiple states. (Supplementary Declaration of Michelle Stewart, Exhibits A, B, and C.)

The regulatory calendar was originally set up by Hartmeier. Hartmeier transferred responsibility of the regulatory calendar to Maas and provided one-on-one training and oversight. (Declaration of Kyle Hartmeier.) The regulatory calendar was then transferred to Stewart, and Maas provided extensive one-on-one training to Stewart. (Declaration of Meg K. Maas.) In particular, NAP undertook the expense of having two Strategic Administrative Specialists for four months to provide extensive one-on-one training and oversight to Stewart. When the four-month period was unavoidably shortened to ten weeks, NAP further arranged for Maas to remain available on a consulting basis. (Supplemental Declarations of Meg K. Maas and Michelle Stewart.)

This Request for Reconsideration and the corresponding Petition satisfies all of the requirements noted in the Decision on Petition, including "an adequate, verified showing that the delay was unavoidable, since reasonable care was taken to ensure that the maintenance fee would be paid timely and that the petition was filed promptly." In particular, under the reasonably

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS[®]PC
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

prudent person standard, it is shown that the Petitioner, in the exercise of due care, "relied upon the ordinary and trustworthy agencies of . . . worthy and reliable employees." (Decision on Petition.)

It is shown that: (1) the error that occurred in 2006 in the clerical and ordinary function of transferring calendar data from one computer to another was the cause of the delay at issue; (2) there was in place a business routine for performing the clerical function that could reasonably be relied upon to avoid errors, in that (i) Stewart transferred the data and Maas verified the transfer, and (ii) the data file was also copied from Maas' computer to Stewart's computer to provide a backup check for an extended (two year) period of time; and (3) the employees were sufficiently trained and experienced with regard to the function and routine for its performance.

This Request for Reconsideration is believed to provide an adequate showing, in that it includes (A) statements by all persons with direct knowledge of the circumstances surrounding the delay, setting for the facts as they know them; (B) a thorough explanation of the docketing system in use, including the types of records kept and the person responsible for the maintenance of the system, and including an indication of why the system failed to provide adequate notice; and (C) information regarding the training provided to the personnel responsible for the docketing error, the degree of supervision, examples of other work functions carried out, and checks on the work that were used.

The steps and process in place to transfer the information from Maas' computer to Stewart's computer included one person transferring the data, another person verifying the data, and as a backup copying the data file directly to provide a second alert and leaving the backup in place for an extended period. Regarding the first full paragraph on page 7 of the Decision on Petition, the Declaration of Meg K. Maas refers to the calendar that was copied from her

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS[®] & C
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

computer to Stewart's computer and left in place for only two years, as more fully explained herein. This Request for Reconsideration further explains the provisions in place to verify that the data was properly transferred. The regulatory calendar is a living document that is continuously updated as action items are completed. Maas' computer, after it was taken home, could not be used for tracking the regulatory calendar. The computer was given to Maas and was not used by NAP thereafter. Maas' computer and Stewart's computer were standalone computers (Supplemental Declaration of Meg K. Maas) and were not set up for a network system.

Regarding the last full paragraph on page 7 of the Decision on Petition, it is urged that transferring data from one computer to another in a non-networked system is not extraordinary. The data was manually transferred from the Maas computer to the Stewart computer by Stewart, and the transfer was verified by Maas. In addition, the data file was electronically transferred from Maas' computer to Stewart's computer, and provided a backup alert for an extended period of time.

Regarding the page 8 of the Decision on Petition, it is believed that the showing that significant regulatory calendar data that has been in use since the transfer, and without any additional errors found, shows that there was a system in place, and that it was a clerical error that prevented the patent maintenance fee from successfully being transferred.

Reconsideration of the Decision on Petition is respectfully requested.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PC}



Ryan H. Dodge, Jr.
Registration No. 42,492
Direct Dial No. 206.698.1724

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LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8160

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David W. Bergevin	Attorney Docket No.:	DWBE551424
Application No.:	09/434,353	Patent No.:	6,346,131
Filed:	November 3, 1999	Issued:	February 12, 2002
Title:	FERTILIZER COMPOSITIONS FOR ADMINISTERING PHOSPHATES TO PLANTS		

SUPPLEMENTAL DECLARATION OF DAVID W. BERGEVIN

I, David W. Bergevin, hereby supplement my Declaration for the above-referenced matter executed on November 29, 2012, and hereby declare as follows:

1. My company Northwest Agricultural Services, Inc. ("NAP") is a small company, and has been a very small company for most of its history, having ten or fewer total administrative employees at all times from its formation in 1989 through 2008.

2. NAP produces and sales agricultural chemicals. As noted on our web site at www.nap-chem.com, our mission is "To quickly respond to the needs of today's growers and foresee the needs of tomorrow's growers. This will be done by incorporating the latest in agrotechnology, specifically natural product technologies and chemistries."

3. The agricultural chemicals industry is regulated largely by the individual States, and the regulatory requirements vary from State to State. Because we were a very small company, I initially tracked dates relevant to the regulatory requirements with the assistance of my office manager at that time, Heather Hattemer, using a paper system that was keyed to my Franklin planner.

4. In 2002 U.S. Patent No. 6,346,131 (the '131 Patent) issued, and at about that time the responsibility for the regulatory calendar was transitioned to Mr. Kyle Hartmeier ("Hartmeier"), who implemented the tracking system on Microsoft Outlook. The regulatory calendar included tracking the maintenance fee dates for the '131 Patent. In 2005 NAP's newly-hired Strategic Administrative Specialist, Meg Kates (now Meg Maas, "Maas") took over the regulatory calendar from Hartmeier, receiving hands-on training and supervision from Hartmeier.

5. During substantially the entire time that NAP has been in business, we have conducted weekly staff meetings on Tuesday mornings. Among other purposes, the weekly meetings provide a forum for the staff to raise any questions, ideas, or concerns they may have.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.5196

6. In 2006 Maas advised me she was leaving to start her family. We agreed that she would remain for about four months to provide training for her replacement. I hired Michelle Stewart ("Stewart") as the new Strategic Administrative Specialist. Maas was able to continue working for about ten weeks, when she was forced to leave for medical reasons. However, Maas agreed to continue working with NAP as needed, on a consulting basis, and NAP gave her the computer she was using in the office, after company information including the regulatory calendar information was transferred to another computer.

7. Notwithstanding Maas earlier-than-planned departure, Stewart had about ten weeks of hands-on training and oversight from Maas regarding the duties of the Strategic Administrative Specialist, including keeping track of the regulatory calendar.

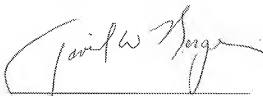
8. To my knowledge, Stewart has very competently performed the duties of the Strategic Administrative Specialist.

9. I have searched my personal records and the records of NAP for documentation that would show the contents of the regulatory calendar prior to 2007, but have not been able to find any such documents.

I hereby declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified patent.

Respectfully submitted,

Dated: 2/8/13


David W. Bergevin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David W. Bergevin Attorney Docket No.: DWBE551424
Application No.: 09/434,353 Patent No.: 6,346,131
Filed: November 3, 1999 Issued: February 12, 2002
Title: FERTILIZER COMPOSITIONS FOR ADMINISTERING
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DECLARATION OF KYLE HARTMEIER

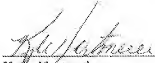
I, Kyle Hartmeier, hereby declare as follows:

1. I am currently Vice President Strategic Operations for Northwest Agricultural Products, Inc., a Washington corporation ("NAP").
2. In 2002 or 2003 I set up a calendaring system for tracking regulatory dates important to NAP, what we now call the Regulatory Calendar, converting from the original paper system to a computer system using Microsoft Outlook.
3. The Regulatory Calendar included due dates for matters related to product registrations, business licenses, and trademark and patent matters.
4. I specifically remember including the maintenance fee dates for U.S. Pat. No. 6,346,131 into the Regulatory Calendar because it was the only patent in the calendar.
5. In 2005 I transitioned responsibility for the Regulatory Calendar to Meg Kates, our Strategic Administrative Specialist. I provided extensive one-on-one training explaining how to use the system, and I provided direct oversight of her work.

I hereby declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified patent.

Respectfully submitted,

Dated: 2/8/2013


Kyle Hartmeier

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David W. Bergevin	Attorney Docket No.:	DWBE551424
Application No.:	09/434,353	Patent No.:	6,346,131
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SUPPLEMENTAL DECLARATION OF MEG K. MAAS

I, Meg K. Maas, hereby supplement my Declaration for the above-referenced matter executed on November 29, 2012, and hereby declare as follows:

1. As Strategic Administrative Specialist for Northwest Agricultural Products, Inc. ("NAP") in 2005-2006 my responsibilities included maintaining a calendar of regulatory dates that were of importance to NAP (hereinafter, the "Regulatory Calendar"), and tracking these dates to ensure compliance with all matters related to NAP business.

2. The Regulatory Calendar was maintained on my standalone computer using Microsoft Outlook and included dates related to maintaining the relevant State Product Registrations for NAP product, maintaining state business licenses for NAP, maintaining trademark and trademark applications, and maintaining patent rights to the patents licensed by NAP and the patent NAP owned by NAP (the "'131 Patent").

3. For all regulatory dates requiring action, I would enter a calendar reminder in Microsoft Outlook to actively alert me to the action item, typically approximately one month before the action item was due. The calendar entry would include a description of the action item, the due date for the action item, and any additional information that would be helpful in the completion of the action item, and if the action item were regularly recurring it was set up to provide regularly recurring alerts. When the due date for the action item was approaching an alert would appear on my computer, and I would not dismiss the alert until the action item was completed.

4. I have a specific memory of entering the dates associated with maintaining the '131 Patent in Regulatory Calendar because this is the only patent owned by NAP, and because I understood that the '131 Patent was important to NAP.

5. In 2006 I notified NAP that I would be leaving the company. My reason for leaving was to start my family.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

6. NAP hired Michelle Stewart ("Stewart") to take over as Strategic Administrative Specialist in October of 2006, and I agreed to remain in the position for four months and to train Stewart with regard to the Regulatory Calendar and in the performance of the responsibilities of this position. However, I was only able to remain in the position for about ten weeks, following my doctor's recommendation due to risks associated with my pregnancy.

7. I trained Stewart in maintaining the Regulatory Calendar and in performing the tasks associated with the Regulatory Calendar. I actively monitored Stewart's activities. I was, and remain, confident in her training and in her abilities and competence with regard to the duties of the Strategic Administrative Specialist.

8. During this training Stewart manually transferred the data for the Regulatory Calendar from my computer to Stewart's computer, and I verified that the data was correctly transferred. We both believed that all of the data for the Regulatory Calendar had been successfully migrated to Stewart's computer.

9. Just prior to my departure the data file from my computer containing the Regulatory Calendar data (the PST file) was copied to Stewart's computer.

10. In addition, I remained available for consultation to provide any additional training to Stewart. To facilitate this arrangement, I was allowed to keep my computer after transferring the data for the Regulatory Calendar to Stewart's computer.

11. I now believe that, due to a clerical error, the due date for the maintenance fee dates for the '131 Patent were not effectively transferred into her Regulatory Calendar.

12. The NAP computer I was allowed to keep was not a new computer when I brought it home in 2006, and I have long ago discarded it.

I hereby declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent that issues therefrom.

Respectfully submitted,

Dated: July 7, 2018


Meg K. Maas

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.: 09/434,353 Patent No.: 6,346,131
Filed: November 3, 1999 Issued: February 12, 2002
Title: FERTILIZER COMPOSITIONS FOR ADMINISTERING
PHOSPHATES TO PLANTS

DECLARATION OF STEPHEN WOLFE

I, Stephen Wolfe, hereby declare as follows:

1. I am a chemical engineer and currently work as a consultant to Northwest Agricultural Products, Inc., a Washington corporation ("NAP"), and have worked periodically in a consulting capacity for NAP since at least 1999.

2. I am assisting David Bergevin ("Bergevin") in certain patent-related matters, including assistance in attempting to reinstate U.S. Pat. No. 6,346,131 (the '131 Patent).

3. I have assisted Bergevin in identifying and reviewing his paper records and the paper records at NAP to try to find documentation showing what is referred to as the Regulatory Calendar as it was prior to the end of 2006, and as it was immediately after Michelle Stewart took over responsibility for the Regulatory Calendar.

4. On information and belief, the Regulatory Calendar at that time was maintained on a personal computer, and was kept as a "living document", that is, it was updated regularly.

5. Despite a concerted effort to find relevant documentation, I was not able to find such documents, and I do not believe such documents currently exist.

I hereby declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified patent.

Respectfully submitted,

Dated: February 8th 2013


Stephen Wolfe

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.6100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Title: FERTILIZER COMPOSITIONS FOR ADMINISTERING
PHOSPHATES TO PLANTS

DECLARATION OF CRAIG SCOTT

I, Craig Scott, hereby declare as follows:

1. I am currently the IT Manager for Northwest Agricultural Products, Inc., a Washington corporation ("NAP"), and was first hired by NAP in 2008.
2. I was tasked to search for any electronic documents that would show the calendaring system that was in use in 2005-2006 using the Microsoft Outlook system, what we now refer to as the Regulatory Calendar.
3. The NAP archive policy does not cover this time period.
4. The tape media in use at that time has been destroyed, and we no longer have hardware to read such media.
5. Despite a concerted effort to find relevant electronic documentation, I was not able to find such documents, and I do not believe such documents currently exist.

I hereby declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified patent.

Respectfully submitted,

Dated: 2/8/13


Craig Scott

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David W. Bergevin	Attorney Docket No.:	DWBE551424
Application No.:	09/434,353	Patent No.:	6,346,131
Filed:	November 3, 1999	Issued:	February 12, 2002
Title:	FERTILIZER COMPOSITIONS FOR ADMINISTERING PHOSPHATES TO PLANTS		

SUPPLEMENTAL DECLARATION OF MICHELLE STEWART

I, Michelle Stewart, hereby supplement my Declaration for the above-referenced matter executed on November 29, 2012, hereby declare as follows:

1. I am the Strategic Administrative Specialist for Northwest Agricultural Products, Inc., a Washington corporation ("NAP"), and was hired by NAP on October 7, 2006 to replace Meg Maas, nee Kates ("Maas").

2. As Strategic Administrative Specialist my duties include monitoring dates and taking timely action to ensure compliance with regulations relevant to NAP's business, including maintaining the intellectual property owned by NAP, including intellectual property owned by David Bergevin ("Bergevin") and used for the benefit of NAP.

3. On information and belief, Maas decided to leave her position as Strategic Administrative Specialist in 2006 because she was expecting a new baby.

4. At the time I was hired, Maas had in place a Microsoft Outlook calendar system for tracking upcoming due dates for a large number of items (the "Regulatory Calendar"), including scheduled dates for maintaining: (i) state registrations for agricultural products sold by NAP, (ii) state business licenses, (iii) federal registrations and/or reporting requirements for NAP products, and (iv) patent and trademark matters owned or licensed by NAP.

5. At the time I was hired, the Regulatory Calendar was implemented in Microsoft Outlook on a standalone computer used by Maas. When an action in the Regulatory Calendar was coming due (an "Action Date"), a calendar alert would display on her computer identifying the actions required and the due date.

6. Although the computer systems at NAP in the normal course of business are periodically upgraded, the calendaring system remains similar. As regulatory dates requiring action arise I enter the relevant data into the calendar, and set the system to provide an alert to my computer in advance of the due date, typically about one month before the due date. As the

action date approaches, an alert appears on my computer screen, and I do not dismiss the alert until the action item is complete.

-- Product Registrations--

7. At the time I was hired NAP marketed over 300 agricultural chemical products. Different subsets of these products were marketed in the States of Washington, Oregon, California, Idaho, Nevada, New Mexico, Arizona, and Utah. As the Strategic Administrative Specialist, it was Maas' responsibility, and it is now my responsibility, to maintain the State registrations for these products. The Action Dates for these items were tracked on the Regulatory Calendar, and they continue to be tracked on the current Regulatory Calendar.

8. A different set of NAP products were registered in each of these States, and each State had its own filing and reporting requirements for registration of the products. Therefore, maintaining these registrations was and is a complicated process.

9. I have searched NAP records but have not been able to locate a record of the particular Action Items from 2006.

10. Exhibit A to this Supplemental Declaration is a schedule of current NAP product registrations that are tracked on our current Regulatory Calendar. These are representative of the Action Items that were tracked on the Regulatory Calendar when I was hired, but with current data.

-- Business Licenses --

11. At the time I was hired, NAP had a number of business licenses in States in which NAP conducted its business. As the Strategic Administrative Specialist, it was Maas' responsibility, and it is now my responsibility, to maintain these licenses. Again, different states have different requirements. Action dates for the business operating licenses were and are tracked on the Regulatory Calendar.

12. Although I have not been able to locate a record of the particular Action Items from 2006, Exhibit B is a schedule of state and federal licenses that are tracked on the current Regulatory Calendar. These are representative of the items tracked on the Regulatory Calendar when I was hired.

-- Trademark Matters --

13. At the time I was hired, NAP also had a number of trademark applications and trademark registrations. As the Strategic Administrative Specialist, it was Maas' responsibility, and it is now my responsibility, to maintain these trademark matters. The action dates for these trademark applications and registrations were and are tracked on the Regulatory Calendar.

14. Although I have not been able to locate a record of the particular Action Items from 2006, Exhibit C is a schedule of trademark items that are tracked in our current Regulatory Calendar. These are representative of the items tracked on the Regulatory Calendar when I was hired.

-- Patent Matters --

15. At the time I was hired, NAP maintained one U.S. Patent (U.S. Patent 6,346,131, the "131 Patent"), and licensed two patents owned by the U.S. Secretary of Agriculture (U.S. Patent 5,030,562, and U.S. Patent 5,919,446). As the Strategic Administrative Specialist, it was Maas' responsibility, and it is now my responsibility, to maintain the '131 Patent, and to ensure that royalties are timely paid for patents licensed by NAP.

16. I have ensured the requisite royalty payments associated with the patents licensed by NAP. I have only recently learned that through a clerical error the dates associated with the maintenance fee payments for the '131 Patent are no longer in the Regulatory Calendar.

-- Training and Oversight --

17. When I was hired in October, 2006, the plan was for Maas to continue working full time for about four months for training and transition purposes, including training me on the Regulatory Calendar and Action Items. Maas continued working full time for about ten weeks (into December, 2006) when medical complications related to her pregnancy required that she discontinue working.

18. After her departure, Maas remained available for consultation for two years thereafter.

19. I was familiar with using Microsoft Outlook from my prior work experience. My training with Maas included first observing and assisting her in maintaining the Regulatory Calendar and performing the Action Items, and later performing the Action Items under her supervision. Therefore, I received hands-on training for this position for about ten weeks, and

Maas was available as a consultant for two years following her departure. I did, in fact, consult with Maas during that time.

20. The Regulatory Calendar data was transitioned from Maas' standalone computer to my standalone computer in 2006.

21. I manually transferred the Regulatory Calendar information from Maas' computer to my computer, and Maas checked that the information was transferred.

22. I believed at that time, and on information and belief Meg Kates also believed at that time, that all of the Regulatory Calendar data had successfully been transferred to my computer.

23. Moreover, when Maas left full time employment at NAP the data file containing her copy of the Regulatory Calendar (the PST file), was copied to my computer. Therefore I would regularly receive two reminders for due dates on the Regulatory Calendar, one from my calendar, and a second reminder from her calendar.

24. After about two years with both calendars providing reminders on my computer, and having found no missing notices between the Regulatory Calendar, I believed my Regulatory Calendar data was complete, and the second PST file was therefore not retained.

25. From the time I was hired and continuing today the administrative staff, including the President David Bergevin regularly meet on Tuesday mornings to discuss business activities at NAP, including any questions and/or issues regarding our responsibilities at NAP.

-- Clerical Error --

26. As stated above, I have only recently learned that through a clerical error the dates associated with the maintenance fee payments for the '131 Patent are no longer in the Regulatory Calendar.

27. To the best of my knowledge, all of the Regulatory Calendar data for the product registrations, the business licenses, the trademark matters, and the licensed patents were successfully transferred from her computer to my computer. Over the five years since the information was transferred from Maas' computer to my computer, no action items other than the '131 Patent maintenance fee payments have been found missing from the Regulatory Calendar.

28. Despite the best efforts of myself, oversight by Maas, and a two-year parallel tracking calendar, it is my belief that there was a clerical error in transferring the calendar information that resulted in a failure to timely pay the maintenance fee for the '131 Patent.

29. If the reminder to pay the maintenance fee for the '131 Patent had issued from the Regulatory Calendar I would have timely paid the maintenance fee.

I hereby declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent that issues therefrom.

Respectfully submitted,

Dated:

February 7, 2013


Michelle Stewart

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS[®]
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

EXHIBIT A

Alabama ~ Annual based on tonnage (Reported Monthly) Certificate Posted at Plant

Fee	Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Date
37.5	Agri Prep	NAP	Soil Amendment	9/30/2013			2/6/2012	15-Feb-12	2/6/2012
	Aqua-Pam PR 20C	NAP	Soil Amendment	9/30/2013			6/29/2012		3/1/2012
	Boron PolyAmine	NAP	Fertilizer	9/30/2013			2/6/2012	15-Feb-12	9/30/2010
	Calcium PolyAmin	NAP	Fertilizer	9/30/2013	Y	Y	2/6/2012	15-Feb-12	9/30/2010
	Copper PolyAmine	NAP	Fertilizer	9/30/2013	Y	Y	2/6/2012	15-Feb-12	9/30/2010
	Iron PolyAmine	NAP	Fertilizer	9/30/2013	Y	Y	2/6/2012	15-Feb-12	9/30/2010
	Infuse O	NAP	Line Cleaner	9/30/2013	Y		2/6/2012	15-Feb-12	8/15/2011
	Intracel	NAP	Fertilizer	9/30/2013			2/6/2012	15-Feb-12	12/19/2011
	Mag-Ko Sul	Yoeman	Fertilizer	9/30/2013	Y	Y	6/26/2012		10/18/2011
	Magnesium PolyA	NAP	Fertilizer	9/30/2013	Y	Y	2/6/2012	15-Feb-12	9/30/2010
	Manganese PolyA	NAP	Fertilizer	9/30/2013	Y	Y	2/6/2012	15-Feb-12	9/30/2010
	Micro Pak S	NAP	Fertilizer	9/30/2013	Y	Y	6/29/2012		9/30/2012
	Micro Pak PolyAm	NAP	Fertilizer	9/30/2013	Y	Y	2/6/2012	15-Feb-12	9/30/2010
	Oxi Phos	NAP	Fertilizer	9/30/2013			2/6/2012	15-Feb-12 NA	
	Soil Max	NAP	Soil Amendment	9/30/2013			2/6/2012	15-Feb-12	2/9/2012
	Steric P DS	NAP	Fertilizer	9/30/2013			6/29/2012		8/16/2010
	Steric K DS	NAP	Fertilizer	9/30/2013			6/29/2012		10/19/2010
	Steric S DS	NAP	Fertilizer	9/30/2013			6/29/2012		10/19/2010
	Steric Pili	NAP	Fertilizer	9/30/2013			6/29/2012		10/5/2010
	Steric K	NAP	Fertilizer	9/30/2013			6/29/2012		10/18/2010
	Steric S	NAP	Fertilizer	9/30/2013			6/29/2012		10/18/2010
	Steric MKS	NAP	Fertilizer	9/30/2013			6/29/2012		10/15/2010
	Zinc Polyamine	NAP	Fertilizer	9/30/2013	Y	Y	6/29/2012		9/30/2010

ARIZONA* Certificate posted at plant

Fee	Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Date
\$ 250.00	* License renews every two years in June per product, fee not required but label must be on file								
	AlphaMax	NAP	Adjuvant	June 30, 2014					June 17, 2010
	Agri-Prep CS	NAP	Adjuvant	June 30, 2014					February 6, 2012
	Aqua Pam	NAP	Fertilizer	June 30, 2014					March 1, 2012
	Boron PolyAmine	NAP	Fertilizer	June 30, 2014					September 30, 2010
	Calcium PolyAmine	NAP	Fertilizer	June 30, 2014	Yes	Yes			September 30, 2010
	Constant Bup-Her	NAP	Adjuvant	June 30, 2014	Yes	Yes			November 23, 2010
	Eminate 20-20-20-	NAP	Fertilizer	June 30, 2014					July 25, 2011
	Eminate 10-45-10	NAP	Fertilizer	June 30, 2014					February 22, 2010
	High Shield	NAP	Fertilizer	June 30, 2014	Yes	Yes			August 10, 2010
	INTRACEPT	NAP	Fertilizer	June 30, 2014					June 28, 2002
	Intraphos	NAP	Fertilizer	June 30, 2014					December 19, 2011
	Iron PolyAmine	NAP	Fertilizer	June 30, 2014					July 18, 2011
	Magnesium PolyAmine	NAP	Fertilizer	June 30, 2014					September 30, 2010
	Manganese PolyAmine	NAP	Fertilizer	June 30, 2014					September 30, 2010
	Micro-Pak PolyAmine	NAP	Fertilizer	June 30, 2014					September 30, 2010
	OxiPhos	NAP	Fertilizer	June 30, 2014					July 18, 2011
	Steric K	NAP	Fertilizer	June 30, 2014					October 18, 2010
	Steric K DS	NAP	Fertilizer	June 30, 2014	Yes	Yes			October 19, 2010
	Steric MKS	NAP	Fertilizer	June 30, 2014					October 15, 2010
	Steric P III	NAP	Fertilizer	June 30, 2014					October 5, 2010
	Steric P DS	NAP	Fertilizer	June 30, 2014					October 16, 2010
	Steric S	NAP	Fertilizer	June 30, 2014					August 18, 2010
	Steric S DS	NAP	Fertilizer	June 30, 2014	Yes	Yes			October 19, 2010
	Surfact 50	NAP	Fertilizer	June 30, 2014	Yes	Yes			November 22, 2010
	Yeoman MAG-KO-SUL	Yeoman	Fertilizer	June 30, 2014	Yes	Yes			October 18, 2011
	Infuse O	NAP	Adjuvant	June 30, 2014	Yes	Yes			August 15, 2011
	Zinc PolyAmine	NAP	Fertilizer	June 30, 2014	Yes	Yes			September 30, 2011

\$ 250.00 Total

CALIFORNIA Certificate posted at plant

Fee	Product	Brand	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Revision
\$	100.00 Aqua-Pam PR3005	NAP	December 31, 2013	No	No			February 1, 2009
\$	500.00 Boron PolyAmine	NAP	December 31, 2013	No	No	February		
\$	500.00 Calcium PolyAmine	NAP	December 31, 2013	Yes	Yes			
\$	100.00 Complexer II	NAP	December 31, 2013	No	No			
\$	500.00 Copper PolyAmine	NAP	December 31, 2013	Yes	Yes			
\$	100.00 Cyto Pak Micro	NAP	December 31, 2013	No	No			
\$	100.00 Cyto-Phos I 6-18-2	NAP	December 31, 2013	No	No			
\$	100.00 First Choice Aqua-Pam PR 3005	Wilbur Ellis	December 31, 2013	No	No			
\$	500.00 Infuse-O	NAP		Yes	Yes			
\$	500.00 Intracept	NAP	December 31, 2013	Pending	Yes			
\$	500.00 Iron PolyAmine	NAP	December 31, 2013	Yes	Yes			
\$	500.00 Magnesium PolyAmine	NAP	December 31, 2013	Yes	Yes			
\$	500.00 Manganese PolyAmine	NAP	December 31, 2013	Yes	Yes			
\$	500.00 MicroPak PolyAmine	NAP	December 31, 2013	Yes	Yes			
\$	100.00 PAL	NAP	December 31, 2013	No	No			
\$	500.00 PolyAmine Nut Mix	NAP	December 31, 2013	Pending	Pending	6/1/2007	Aug-08	
\$	100.00 PolyBor 5	NAP	December 31, 2013	No	No			
\$	100.00 Soil Max XL	NAP	December 31, 2013	No	No			
	Steric K	NAP	Registration Not Needed	No	No			
	Steric P	NAP	Registration Not Needed	No	No			
	Steric S	NAP	Registration Not Needed	No	No			
\$	500.00 MAG-KO-SUL	NAP	December 31, 2013	No	No			
\$	100.00 STV 300-PA	NAP	December 31, 2013	Yes	Yes			
\$	500.00 Zinc PolyAmine	NAP						
\$	6,900.00							
** Anything not highlighted does not have documentation of 2010 licence in State Registration bc								
\$	750.00 Bioactive Biological	NAP	December 31, 2011					October 1, 2001
\$	750.00 Constant BupHer	NAP	December 31, 2012	Yes	Yes	10/1/2007	Mar-08	October 1, 2011
\$	750.00 Stick-IT	NAP	December 31, 2012					
\$	750.00 Stick-IT Organic	NAP	December 31, 2012	No	Yes			
\$	750.00 Surfact 50™	NAP	December 31, 2012	Yes	Yes	3/1/2007	Feb-08	October 1, 2011
\$	750.00 ADL	NAP	December 31, 2012	No	No			
\$	4,500.00							

Colorado

Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Revision
Iron PolyAmine	NAP	Fertilizer	June 30, 2013	x	x			9/30/2010
Boron Polyamine	NAP	Fertilizer	June 30, 2013					9/30/2010
M-P-A Row Crop	NAP	Fertilizer	June 30, 2013					10/13/2008
Eminate 10-45-10*4(S	NAP	Fertilizer	June 30, 2013					8/10/2010
Eminate 20-20-20	NAP	Fertilizer	June 30, 2013					2/22/2010
Calcium PolyAmine	NAP	Fertilizer	June 30, 2013	x	x	3/19/2010	4/28/2010	9/30/2010
Copper PolyAmine	NAP	Fertilizer	June 30, 2013	x	x	3/19/2010	4/28/2010	9/30/2010
Magnesium PolyAmine	NAP	Fertilizer	June 30, 2013	x	x	3/19/2010	4/28/2010	9/30/2010
Manganese PolyAmine	NAP	Fertilizer	June 30, 2013	x	x	3/19/2010	4/28/2010	9/30/2010
Micro Pak PolyAmine	NAP	Fertilizer	June 30, 2013					10/19/2010
Steric K DS	NAP	Fertilizer	June 30, 2013					10/19/2010
Steric P DS	NAP	Fertilizer	June 30, 2013					10/19/2010
Steric S DS	NAP	Fertilizer	June 30, 2013					10/5/2010
Steric P III	NAP	Fertilizer	June 30, 2013					10/18/2010
Steric S	NAP	Fertilizer	June 30, 2013					12/19/2011
Intracapt	NAP	Fertilizer	June 30, 2013					7/18/2011
Oxi-Phos	NAP	Fertilizer	June 30, 2013					9/30/2010
Zinc PolyAmine	NAP	Fertilizer	June 30, 2013	x	x	3/19/2010	4/28/2010	10/18/2010
Steric K	NAP	Fertilizer	June 30, 2013					10/15/2010
Steric MKS	NAP	Fertilizer	June 30, 2013					2/9/2012
Soil-Max	NAP	Soil/Plant Amendmen	June 30, 2013					2/22/2012
Fuji-Vac 3	NAP	Soil/Plant Amendmen	June 30, 2013					3/1/2012
Aqua-Pam	NAP	Soil/Plant Amendmen	June 30, 2013					3/1/2012
Humic Acid 6%	NAP	Soil/Plant Amendmen	June 30, 2013					3/28/2012
PAL	NAP	Soil/Plant Amendmen	June 30, 2013					5/28/2010
Surfact 50	NAP	Soil/Plant Amendmen	June 30, 2013	x	x	3/19/2010	4/28/2010	7/25/2011
Constant BuPher	NAP	Soil/Plant Amendmen	June 30, 2013	x	x	3/19/2010	4/28/2010	10/18/2011
MAG-KO-SUL	NAP	Fertilizer	June 30, 2013	x	x	3/29/2010	4/28/2010	

** Anything not highlighted does not have documentation of 2010 licence in State Registration book

FLORIDA

Fee

* License renews annually in June per product fee not required but label must be on file

Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted
STERIC P DS	NAP	Fertilizer	NA			Aug-11	
STERIC K DS	NAP	Fertilizer	NA			Aug-11	
STERIC S DS	NAP	Fertilizer	NA			Aug-11	
Steric S	NAP	Fertilizer	NA			Aug-11	
Steric K	NAP	Fertilizer	NA			Aug-11	
Steric P III	NAP	Fertilizer	NA			Aug-11	
Intracept	NAP	Fertilizer	NA	x	x	Aug-11	
Steric MKS	NAP	Fertilizer	NA			Aug-11	
Boron PolyAmine	NAP	Fertilizer	NA	x	x	Aug-11	
Calcium PolyAmine	NAP	Fertilizer	NA	x	x	Aug-11	
Copper PolyAmine	NAP	Fertilizer	NA	x	x	Aug-11	
Iron PolyAmine	NAP	Fertilizer	NA	x	x	Aug-11	
Magnesium PolyAmine	NAP	Fertilizer	NA	x	x	Aug-11	
Manganese PolyAmine	NAP	Fertilizer	NA	x	x	Aug-11	
Micro-Pak PolyAmine	NAP	Fertilizer	NA	x	x	Aug-11	
Zinc PolyAmine	NAP	Fertilizer	NA	x	x	Aug-11	

\$ 200.00

IDAHO

COST BRAND

Product	Type	Renewal Date	Submitted	Granted Label date
0-0-0 Compac 500 Micro	Fertilizers	December 31, 2011		
0-0-0 M-P-A Compac	Fertilizers	December 31, 2012		10/13/2008
0-0-0 WestLink Ag Planter Band	Fertilizers	December 31, 2012		
0-10-6 Between	Fertilizers	December 31, 2012		10/18/2010
1-0-7+0.06 Steric K	Fertilizers	December 31, 2012		
12-1+2.5 A Complexed Macro	Fertilizers	December 31, 2012		
2-11-0-1(s) Bean Planter Band	Fertilizers	December 31, 2012		10/5/2010
2-14-0 Steric P III	Fertilizers	December 31, 2012		
2-6-3-1(S)Orion Planter Band	Fertilizers	December 31, 2012		
3-11-0-2(S) Potato/Sugar Beet Planter	Fertilizers	December 31, 2012		
3-4-2-3(S) Corn Starter Band	Fertilizers	December 31, 2012		
3-4-2-3(S) Hop Mix	Fertilizers	December 31, 2012		
4% Micro-Manganese	Fertilizers	December 31, 2012		
5% Micro-Iron	Fertilizers	December 31, 2012		
6-18-2- Cyto-Phos I	Fertilizers	December 31, 2012		
6-7-0-2(S) Corn Planter Band	Fertilizers	December 31, 2012		
7-27-6 Performance	Fertilizers	December 31, 2012		
8-0-0 Steric S	Fertilizers	December 31, 2012		10/16/2010
ADL	Pesticides	December 31, 2012	9/14/2010	9/24/2010
Agri-Prep CS	Soil Amendment	December 31, 2012		
First Choice	Fertilizers	December 31, 2012		
Agro-Lig SLD	Fertilizers	December 31, 2012		
Aqua-Pam-PR 3005	Soil Amendment	December 31, 2012		
Bloomtime	Pesticides	December 31, 2012		
Boron 5% Chelated	Fertilizers	December 31, 2012		9/20/2010
Boron PolyAmine	Fertilizers	December 31, 2012		
Calcium 5% Chelated	Fertilizers	December 31, 2012		9/20/2010
Calcium PolyAmine	Fertilizers	December 31, 2012		
Compac 300	Fertilizers	December 31, 2012		
Compac 400	Fertilizers	December 31, 2012		
Constant BUpH-er	Soil Amendment	December 31, 2012	Sept 14, 2010	9/24/2010
Copper 2% Chelated	Fertilizers	December 31, 2012	1/11/2013	
Copper PolyAmine	Fertilizers	December 31, 2012		9/30/2010
COP-PLEX 8%	Fertilizers	December 31, 2012		
Eminate 20-20-20	Fertilizers	December 31, 2012	6/24/2009	7/2/2009
Eminate 10-45-10	Fertilizers	December 31, 2012	3/11/2010	3/15/2010
Environmax	Soil Amendment	December 31, 2012		
First Choice Aqua-Pam	Soil Amendment	December 31, 2012		
FUL-VAC 3	Soil Amendment	December 31, 2012		
Humic Acid 6%	Soil Amendment	December 31, 2012		
INTRACAPT	Fertilizers	December 31, 2012		9/1/2010
Iron 5.5% Chelated	Fertilizers	December 31, 2012		
Iron PolyAmine	Fertilizers	December 31, 2012		9/20/2010
Kick 10-2-4	Fertilizers	December 31, 2012		
Leaf Guard	Soil Amendment	December 31, 2012		
LINEMASTER® SW	Soil Amendment	December 31, 2012		
MAG-KO-SUL	Fertilizers	December 31, 2012	3/8/2008	May 01, 2008
Magnesium 2% Chelated	Fertilizers	December 31, 2012		9/30/2010
Magnesium PolyAmine	Fertilizers	December 31, 2012		

Pro-Natural	Manganese 5.6% Chelated	Fertilizers	December 31, 2012		
NAP	Manganese PolyAmine	Fertilizers	December 31, 2012		9/24/2010
Planet Turf	Micro-Sea	Fertilizers	December 31, 2012		
NAP	Micro-Pak PolyAmine	Fertilizers	December 31, 2012		9/24/2010
NAP	M-P-A Row	Fertilizers	December 31, 2012		10/13/2008
NAP	M-P-A Small Grains	Fertilizers	December 31, 2012	3/8/2008	May 01, 2008
Pro-Natural	Multi-Mineral Chelated Micro	Fertilizers	December 31, 2012		
NAP	Nutri-Plex High Shield	Fertilizers	December 31, 2012	6/8/2008	8/29/2008
NAP	PAL	Soil Amendment	December 31, 2012		
NAP	Polybor 10 Sol	Fertilizers	December 31, 2012		
NAP	Soil Seal	Soil Amendment	December 31, 2012		
NAP	Soil-Max	Soil Amendment	December 31, 2012		
NAP	Steric MKS	Fertilizers	December 31, 2012	3/8/2008	May 01, 2008
NAP	Stick-it Organic	Pesticides	December 31, 2012	3/8/2008	4/8/2008
NAP	Surfact 50	Pesticides	December 31, 2012	9/14/2010	9/24/2010
NAP	Wic-EC	Soil Amendment	December 31, 2012		
Pro-Natural	Zinc 5.8% Chelated	Fertilizers	December 31, 2012		
NAP	Zinc Chelate 10%	Fertilizers	December 31, 2012		9/24/2010
NAP	Zinc PolyAmine	Fertilizers	December 31, 2012		
NAP	Primeshot Liquid Fertilizer 3-18-18	Fertilizers	December 31, 2012	9/1/2010	1/1/2011
NAP	Intra-Phos	Fertilizers	December 31, 2012	5/6/2011	8/1/2011
NAP	Ox-Phos	Fertilizers	December 31, 2012	5/6/2011	8/1/2011
\$ 25.00	ChelAmine Granular Zinc 10%	Fertilizer	Pending	1/12/2013	10/8/2012
\$ 25.00	FruitPlex-Q	Fertilizer	Pending	1/12/2013	4/20/2012
\$ 25.00	Intracept-Q	Fertilizer	Pending	1/12/2013	4/20/2012

Indiana ~ Indiana ~ Fertilizers require registration with Office of State Chemist \$20 per product and fee
Fee Product Brand Type Renewal OMRI WSDA Submittal Granted Label Revision
(no products currently)

http://www.isco.purdue.edu/fertilizer/index_fert.htm

Louisiana ~ Annual based on tonnage (Reported?)

Fee	Product	Brand	Type	Renewal Dat OMRI	WSDA	Submitted	Granted Label Date
	Agri Prep	NAP	Soil Amendment			6/29/2012	2/6/2012
	Aqua-Pam PR 3005	NAP	Soil Amendment			6/29/2012	3/1/2012
	Boron PolyAmine	NAP	Fertilizer			6/29/2012	9/30/2010
	Calcium PolyAmine	NAP	Fertilizer	Y	Y	6/29/2012	9/30/2010
	Copper PolyAmine	NAP	Fertilizer	Y	Y	6/29/2012	9/30/2010
	Iron PolyAmine	NAP	Fertilizer	Y	Y	6/29/2012	9/30/2010
	InFuse O	NAP	Line Cleaner	Y	Y	6/29/2012	8/15/2011
	Intracapt	NAP	Fertilizer			6/29/2012	12/19/2012
	Mag-Ko Sul	Yeoman	Fertilizer	Y	Y	6/29/2012	10/18/2011
	Magnesium PolyAmine	NAP	Fertilizer	Y	Y	6/29/2012	9/30/2010
	Manganese PolyAmine	NAP	Fertilizer	Y	Y	6/29/2012	9/30/2010
	MicroPak S	NAP	Fertilizer	Y	Y	6/29/2012	9/30/2012
	Micro Pak PolyAmine	NAP	Fertilizer	Y	Y	6/29/2012	9/30/2010
	Oxi Phos	NAP	Fertilizer			6/29/2012	NA
	Soil Max	NAP	Soil Amendment			6/29/2012	2/9/2012
	Steric P DS	NAP	Fertilizer			6/29/2012	8/16/2010
	Steric K DS	NAP	Fertilizer			6/29/2012	10/19/2010
	Steric S DS	NAP	Fertilizer			6/29/2012	10/19/2010
	Steric PIII	NAP	Fertilizer			6/29/2012	10/5/2010
	Steric K	NAP	Fertilizer			6/29/2012	10/18/2010
	Steric S	NAP	Fertilizer			6/29/2012	10/18/2010
	Steric MKS	NAP	Fertilizer			6/29/2012	10/15/2010
	Zinc Polyamine	NAP	Fertilizer	Y	Y	6/29/2012	9/30/2010

Kansas - Certificates on File \$25.00 product fee

Fee	Product Brand	Type	Renewal	OMRI	WSDA	Submitted	Granted	Label Date
\$	25.00	Steric P III NAP	Fertilizer	6/30/2013	N	3/31/2011	May 9th, 2011	10/5/2010
\$	25.00	Oxi Phos	Fertilizer	6/30/2013	N	3/31/2011	May 9th, 2011	6/17/2011
\$	25.00	Inracept NAP	Fertilizer	6/30/2013	Y	3/31/2011	May 9th, 2011	12/11/2011
\$	25.00	IntraPhos NAP	Fertilizer	6/30/2013	N	5/11/2011	Jun-11	5/26/2011
\$	25.00	Steric S NAP	Fertilizer	6/30/2013	N	5/11/2011	Jun-11	10/18/2010
\$	25.00	Steric K NAP	Fertilizer	6/30/2013	N	5/11/2011	Jun-11	10/18/2010
\$	150.00							

\$ 100.00 Custom Blend Application

\$ 250.00 Total

Proof of Efficacy Data and Guidelines for Considering Soil Amendments for Registration

Guidelines Must be Followed Exactly

Submit research data only (no testimonials) from such groups as land grant universities, USDA and other reputable research organizations. Research must be conducted on at least three soil types common to Kansas, with two years of data submitted for each location. At least one Active ingredients of a product must be listed in the Chemical Abstracts section of the latest edition of the Merck Index. (Coined chemical names must be presented in the following format: *Research must be presented in the following format:*

Title page, including:

1. The product tested and the crop with plant or nutrient response being measured.
2. Dates and locations of trials.
3. The financial link, if any, between the investigating agency and the product company.
4. Investigators' names and credentials.

Introduction, including:

1. Identification of each product claim (use the exact wording that appears on the product label).
2. A brief statement about the nature and use of this product.

Materials and Methods, including:

1. A minimum characterization of the experimental sites, with soil texture, soil classification, soil reaction, (pH), soil organic matter and soil organic matter and soil organic matter.
2. A description of the pertinent details of the research procedure (i.e. planting date and rate, variety/hybrid, weed control method, tillage, etc.).
3. The treatments should be randomly assigned to individual plots and at least three replications should be used.

Results and Discussion, including:

1. Data presented in standard English units in tables or figures with appropriate statistical analysis. A significance level of 10% or less is recommended.
2. Discussion of the data should be in lay terms whenever possible.

Conclusions, including:

1. Results summarized and discussed as to their proof of product effectiveness claims and literature cited.

Literature Cited should list references as suggested in a handbook and style manual for scientific publications.

Kentucky sent in registration no fee just tonnage quarterly

Brand	Product	Type	Renewal Date	Submitted	Granted	Label date
Agri-Prep	NAP	Soil Amendment		1/21/2013		2/6/2012
Aqua Pam PR3005	NAP	Soil Amendment		1/21/2013		3/4/2012
Boron PolyAmine	NAP	Fertilizer		1/21/2013		9/30/2010
Calcium PolyAmine	NAP	Fertilizer		1/21/2013		9/30/2010
Copper PolyAmine	NAP	Fertilizer		1/21/2013		9/30/2010
inFuse O	NAP	Line Cleaner		1/21/2013		8/15/2011
Clear Drip O	NAP	Line Cleaner		1/21/2013		10/1/2012
Intracept	NAP	Fertilizer		1/21/2013		12/19/2011
Intracept O	NAP	Fertilizer		1/21/2013		4/20/2012
Iron PolyAmine	NAP	Fertilizer		1/21/2013		7/16/2011
Magnesium PolyAmine	NAP	Fertilizer		1/21/2013		9/30/2010
Manganese PolyAmine	NAP	Fertilizer		1/21/2013		9/30/2010
Micro-Pak S	NAP	Fertilizer		1/21/2013		3/22/2012
Micro-Pak PolyAmine	NAP	Fertilizer		1/21/2013		9/30/2010
Oxi-Phos	NAP	Fertilizer		1/21/2013		7/16/2011
Soil Max	NAP	Soil Amendment		1/21/2013		2/9/2012
Steric K 1-0-7	NAP	Fertilizer		1/21/2013		10/16/2010
Steric K DS 6-0-49+8(S)	NAP	Fertilizer		1/21/2013		10/19/2010
Steric MKS 0-0-4*2.11(Mg)+ 4.2 (S)	NAP	Fertilizer		1/21/2013		10/15/2010
Steric P III 2-14-0	NAP	Fertilizer		1/21/2013		10/5/2010
Steric P DS 12-58-0	NAP	Fertilizer		1/21/2013		8/16/2010
Steric S 8-0-0+9(S)	NAP	Fertilizer		1/21/2013		10/16/2011
Steric S DS 21-0-0+23(S)	NAP	Fertilizer		1/21/2013		10/16/2011
Yeoman MAG-KO-SUL	Yeoman Organic Fertilizer	Fertilizer		1/21/2013		9/30/2010
Zinc PolyAmine	NAP	Fertilizer		1/21/2013		

MICHIGAN*

Fee	Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Revision
	Steric P III	NAP	Fertilizer	December 31, 2012					10/05/10
	Steric K	NAP	Fertilizer	December 31, 2012					10/18/10
	Steric S	NAP	Fertilizer	December 31, 2012					10/18/10
	STERIC S DS	NAP	Fertilizer	December 31, 2012					10/19/10
	STERIC K DS	NAP	Fertilizer	December 31, 2012					10/19/10
	STERIC P DS	NAP	Fertilizer	December 31, 2012					10/19/10
	OXI-Phos	NAP	Fertilizer	December 31, 2012			Jan 21, 2009	Jan 23, 2009	no date
	Potato Sugar Beet	NAP	Fertilizer	December 31, 2012			Jan 21, 2009	Jan 23, 2009	
	Intracapt	NAP	Fertilizer	December 31, 2012	x		Jan 21, 2009	Jan 23, 2009	
	Boron PA	NAP	Fertilizer	December 31, 2012					09/01/10
	Calcium PA	NAP	Fertilizer	December 31, 2012					09/20/10
	Copper PA	NAP	Fertilizer	December 31, 2012					09/30/10
	Iron PA	NAP	Fertilizer	December 31, 2012					09/20/10
	Magnesium PA	NAP	Fertilizer	December 31, 2012					09/30/10
	Manganese PA	NAP	Fertilizer	December 31, 2012					09/24/10
	Micro-Pak PA	NAP	Fertilizer	December 31, 2012					09/24/10
	Zinc PA	NAP	Fertilizer	December 31, 2012					09/24/10
	Stick-It Organic	NAP	Adjuvant	December 31, 2012	x				05/27/10
	Constant Eupher	NAP	Adjuvant	December 31, 2012	x				05/28/10
	Surfact 50	NAP	Adjuvant	December 31, 2012	x				10/15/10
\$ 150.00	Bloomline	NAP	Pesticide	June 30, 2013		x			

* 100.00 License renews annual in December no per product fee for fertilizers but labels on file and adjuvants not required to go to pesticide.

Montana Certificate at plant. License required in addition to product fee

Fee	Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Date
25	INTRACEPT	NAP	Fertilizer (C*)	December 31, 2012	Yes	Yes	March 23rd 2009	April 29, 2009	
25	Wick EC	NAP	Fertilizer (C*)	December 31, 2012	No	No	May 27th 2009	August 1, 2009	
25	Steric K	NAP	Fertilizer (C*)	December 31, 2012	No	No	17-Mar-11	April 29, 2011	
25	Steric P III	NAP	Fertilizer (C*)	December 31, 2012	No	No	17-Mar-11	April 29, 2011	
25	Steric S	NAP	Fertilizer (C*)	December 31, 2012	No	No	17-Mar-11	April 29, 2011	
25	Alpha Max	NAP	Fertilizer (C*)	December 31, 2012	No	No	17-Mar-11	April 29, 2011	
25	MPA Row Crop	NAP	Fertilizer (C*)	December 31, 2012	No	No	17-Mar-11	April 29, 2011	
30	Kick 10-2-4	Planet Turf	Fertilizer (S*)	December 31, 2012	No	No	17-Mar-11	April 29, 2011	23-Mar-09
30	Micro Sea	Planet Turf	Fertilizer (S*)	December 31, 2012	No	No	17-Mar-11	April 29, 2011	23-Mar-09
30	Rocket N	Planet Turf	Fertilizer (S*)	December 31, 2012	No	No	17-Mar-11	April 29, 2011	

* C Commercial S Specialty A Soil Amendment

** Anything not highlighted does not have documentation of 2010 licence in State

Tonnage Required Semi Annual but report will be zero because this is reported quarterly as well. Same as CA

Nebraska

Fee \$ 15.00 * License 8047 renews annually in December product fee not required but label and application must be on file for Soil Amendment

Product **Brand** **Type** **Renewal OMRI** **WSDA** **Submitter** **Granted Label Revision**

Boron PolyAmine	NAP	Fertilizer	12/31/12			
Calcium PolyAmine	NAP	Fertilizer	12/31/12			
Copper PolyAmine	NAP	Fertilizer	12/31/12			
Iron PolyAmine	NAP	Fertilizer	12/31/12			
Intracept	NAP	Fertilizer	12/31/12			
Magnesium PolyAmine	NAP	Fertilizer	12/31/12			
Manganese PolyAmine	NAP	Fertilizer	12/31/12			
Micro-Bland PolyAmine	NAP	Fertilizer	12/31/12			
Micro Pak PolyAmine	NAP	Fertilizer	12/31/12			
Oxi Phos	NAP	Fertilizer	12/31/12			
Steric K 1-0-7	NAP	Fertilizer	12/31/12			
Steric K DS	NAP	Fertilizer	12/31/12			
Steric P III 2-14-0	NAP	Fertilizer	12/31/12			
Steric P DS	NAP	Fertilizer	12/31/12			
Steric S 8-0-0+9(S)	NAP	Fertilizer	12/31/12			
Steric S DS	NAP	Fertilizer	12/31/12			
Steric MKS 0-0-4+2.1(Mi	NAP	Fertilizer	12/31/12			
Yeoman brand MAGKOS Yeoman	NAP	Fertilizer	12/31/12			
Zinc PolyAmine	NAP	Fertilizer	12/31/12			
PAL	NAP	Soil Amend	12/31/12			
Soil Max	NAP	Soil Amend	12/31/12			
Humic Acid 6%	NAP	Soil Amend	12/31/12			

Total

\$ 15.00

New York

Fee	Product	Brand	Type	Renewal Date	OMRI	WSDA	Submittk	Granted	Label Revision
\$620.00	Bloomtime	NAP	Pesticide	September 30, 2013	x				

North Dakota

Cost Product Brand Type Renewal OMR! WSDA Submittal Granted Label Revision

\$50 per product even years and soil plant amendments require efficacy

Oklahoma

Cost	Product Brand	Type	Renewal	OMRI	WSDA	Submit	Granted	Label	Revision
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\$50 Annual license & semi annual tonnage with minimum \$10- \$100 if weigh less then 30lbs

Oregon	Cost	Brand	Product	Type	Renewal Date	Submitted	Granted	Label Date
\$	25.00	NAP	0-0-19 Hop Plex	Fertilizer	December 31, 2011	February		
\$	25.00	NAP	0-0-19 Tree Shield	Fertilizer	December 31, 2011	December 31, 2011	8/1/2011	
\$	25.00	NAP	0-0-8 Carbo-Hydrox	Fertilizer	December 31, 2011	December 31, 2011	8/1/2011	
\$	25.00	NAP	0-0-8 Nutri-Plex	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	0-10-0 Buf-Fit Plus	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	Wilco	0-27-20 Wilco Foresight	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	10-0-0 5% Micro-Iron Chelate	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	1-0-7-1-4 (S) Steric K	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	2-0-8 Nutri-Plex High Shield Plus	Fertilizer	December 31, 2011	February		
\$	25.00	NAP	2-14-0 Steric P III	Need send updated label	December 31, 2011	5/11/2011	8/1/2011	
\$	25.00	Wilco	2-5-2 Wilco Row Crop	Fertilizer	December 31, 2011	5/11/2011	8/1/2011	
\$	25.00	NAP	4-15-1 Intra-Phos	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	5-21-4 Performance Plus	Fertilizer	December 31, 2011	December 31, 2011	8/1/2011	
\$	25.00	NAP	6-15-2 Oxi Phos	Fertilizer	December 31, 2011	December 31, 2011	8/8/2008	
\$	25.00	NAP	6-23-5 Performance Plus Baro	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	6-24-0 Will-Start-I	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	Wilco	7-27-6 Performance	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	7-27-6 Will-Perform	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	8-0-0 Steric S	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	8-32-5 Plus Charge plus Micronutrients	Fertilizer	December 31, 2011	December 31, 2011		1/6/2010
\$	25.00	NAP	Agri-Lig (Humic Acid)	Amendment	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Agri-Prep CS Irrigation Aid Soil Penetrant	Fertilizer	December 31, 2011	3/10/2010	6/10/2010	
\$	25.00	NAP	Alpha Max	Amendment	December 31, 2011	December 31, 2011		
\$	25.00	NAP	ATC-96 Anti-Transpirant Concentrate	Pesticide	December 31, 2012	February		
\$	160.00	NAP	Bloomtime	Mineral Registration	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Boron PolyAmine	Mineral Registration	December 31, 2011	December 31, 2011	4/8/2009	
\$	25.00	NAP	Calcium PolyAmine	Fertilizer	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Compac 300	Amendment	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Complex II Humic Acid	Mineral Registration	December 31, 2011	December 31, 2011		3/22/2011
\$	25.00	NAP	Copper PolyAmine	Mineral Registration	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Cop-Plex	Mineral Registration	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Ermilate	Fertilizer	December 31, 2011	December 31, 2011	6/10/2010	
\$	25.00	NAP	Fruitplex	Mineral Registration	December 31, 2011	3/11/2011	8/1/2011	
\$	25.00	NAP	Intracapt	Mineral Registration	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Iron PolyAmine	Mineral Registration	December 31, 2011	December 31, 2011		
\$	160.00	NAP	Leaf-Guard Systemic Fungicide	Pesticide	December 31, 2011	December 31, 2011		10/13/2008
\$	25.00	PGG	Let-ER-Buck Ultra Start	Mineral Registration	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Magnesium Polyamine/Amino Acid Complexed	Mineral Registration	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Manganese Polyamine	Mineral Registration	December 31, 2011	December 31, 2011		
\$	25.00	NAP	Micro-Pak	Mineral Registration	December 31, 2011	December 31, 2011		
\$	25.00	NAP	MicroPak Polyamine	Mineral Registration	December 31, 2011	December 31, 2011		10/13/2008
\$	25.00	NAP	M-P-A Row Crop	Mineral Registration	December 31, 2011	December 31, 2011		

\$	25.00	NAP	PAL	Mineral Registration	December 31, 2011	
\$	25.00	NAP	Polybor 10	Mineral Registration	December 31, 2011	
\$	25.00	NAP	Polybor 5	Mineral Registration	December 31, 2011	
\$	25.00	NAP	Soil-Max	Amendment	December 31, 2011	
\$	25.00	NAP	Steric Micro Magnesium 4%	Mineral Registration	December 31, 2011	
\$	25.00	NAP	Steric Micro Zinc 7%	Mineral Registration	December 31, 2011	
\$	25.00	NAP	Steric MKS	Fertilizer	December 31, 2011	3/8/2008
\$	25.00	NAP	Steric Soil Prep	Amendment	December 31, 2011	5/6/2008
\$	25.00	NAP	Surfact 50	Amendment	December 31, 2011	8/1/2011
\$	25.00	NAP	Wick-EC	Mineral Registration	December 31, 2011	9/2/2012
\$	25.00	NAP	Wick-OG	Mineral Registration	December 31, 2011	6/9/2009
\$	25.00	Wilco	Wilco Row Crop	Mineral Registration	December 31, 2011	7/6/2009
\$	25.00	Wilco	Wilt-Guard Anti-Transpirant Concentrate	Amendment	December 31, 2011	
\$	25.00	NAP	Yaoman MAG-KO-SUL	Fertilizer	December 31, 2011	3/8/2008
\$	25.00	NAP	Zinc PolyAmine	Mineral Registration	December 31, 2011	5/6/2008
\$	25.00	NAP	Zinc-Chelate 10%	Mineral Registration	December 31, 2011	June 1, 2008
\$	25.00	NAP	ChelAmine Granular Zinc 10%	Fertilizer	December 31, 2011	
\$	25.00	NAP	FruitPlex-O	Fertilizer	Pending	1/12/2013
\$	25.00	NAP	Intraupt-O	Fertilizer	Pending	4/20/2012
\$	1,795.00	NAP	**Please note that advantuins like Constant Buffer and Stick-It Organic do not require registration in Oregon			
\$	1,795.00	NAP				

*Please note that adjuvants like Constant Bupher and Stick-It Organic do not require registration in Oregon

Tennessee Soil Amendments and 25Lb > require \$25.00 fee					
Fee	Product	Brand	Type	Renewal Date	
\$	25.00 Agri-Prep	NAP	Soil Amend	6/30/2013	
\$	25.00 Boron PolyAmine	NAP	Fertilizer	6/30/2013	
\$	25.00 Calcium PolyAmine	NAP	Fertilizer	6/30/2013	
\$	25.00 Copper PolyAmine	NAP	Fertilizer	6/30/2013	
\$	25.00 In-Fuse O	NAP	Line Clean	6/30/2013	
\$	25.00 Intracept	NAP	Fertilizer	6/30/2013	
Exempt	Iron PolyAmine	NAP	Fertilizer	6/30/2013	
\$	25.00 Magnesium PolyAmine	NAP	Fertilizer	6/30/2013	
Exempt	Manganese PolyAmine	NAP	Fertilizer	6/30/2013	
\$	25.00 Micro-Pak PolyAmine	NAP	Fertilizer	6/30/2013	
Exempt	Oxi-Phos	NAP	Fertilizer	6/30/2013	
\$	25.00 Soil Max	NAP	Soil Amend	6/30/2013	
\$	25.00 Steric K 1-0-7	NAP	Fertilizer	6/30/2013	
Exempt	Steric K DS 6-0-49+8	NAP	Fertilizer	6/30/2013	
Exempt	Steric MKS 0-0-4+2.1	NAP	Fertilizer	6/30/2013	
\$	25.00 Steric P III 2-14-0	NAP	Fertilizer	6/30/2013	
Exempt	Steric P DS 12-58-0	NAP	Fertilizer	6/30/2013	
Exempt	Steric S 8-0-0+9(S)	NAP	Fertilizer	6/30/2013	
Exempt	Steric S DS 21-0-0+2	NAP	Fertilizer	6/30/2013	
\$	25.00 Yeoman MAG-KO-SU	NAP	Fertilizer	6/30/2013	
\$	300.00				

Texas

Fee Permit to distribute without a renewal date.

Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Revision
STERIC P OS	NAP	Fertilizer	NA					8/16/2010
STERIC K DS	NAP	Fertilizer	NA					10/19/2010
STERIC S DS	NAP	Fertilizer	NA					10/19/2010
Steric S	NAP	Fertilizer	NA					10/18/2010
Steric K	NAP	Fertilizer	NA					10/18/2010
Steric P III	NAP	Fertilizer	NA					10/5/2010
Intracapt	NAP	Fertilizer	NA	x				9/1/2010
Steric MKS	NAP	Fertilizer	NA					10/15/2010
Boron PolyAmine	NAP	Fertilizer	NA	x		August 1, 2011	September 1, 2011	
Calcium PolyAmine	NAP	Fertilizer	NA	x		Aug-11	September 1, 2011	
Copper PolyAmine	NAP	Fertilizer	NA	x		Aug-11	September 1, 2011	
Iron PolyAmine	NAP	Fertilizer	NA	x		Aug-11	September 1, 2011	
Magnesium PolyAmine	NAP	Fertilizer	NA	x		Aug-11	September 1, 2011	
Micro-Pak PolyAmine	NAP	Fertilizer	NA	x		Aug-11	September 1, 2011	
Oxy-Phos	NAP	Fertilizer	NA	x		Aug-11	September 1, 2011	
Zinc PolyAmine	NAP	Fertilizer	NA	x		Aug-11	September 1, 2011	
Aqua Pam	NAP	Soil Amendment	NA	x		Aug-11	September 1, 2011	

\$ 100.00

Cost	Product Brand	Type	Renewal	OMRI	WSDA	Submitted	Granted	Label Revision
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\$25 Annual license fee and Annual tonnage fee.... Unsure of Soil & Plant amendment claims require efficacy but not separate

Cost UTAH NAP Customer No - 78524

Annual F Brand	Product	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Revision
\$ 55.00 NAP	Calcium Polyamine	Fertilizer	December 31, 2012 No	No	No			
\$ 55.00 NAP	Iron Polyamine™	Fertilizer	December 31, 2012 No	No	No			
\$ 55.00 NAP	Iron Polyamine™	Fertilizer	December 31, 2012 Yes	Yes	Yes			
\$ 55.00 NAP	Magnesium Polyamine™	Fertilizer	December 31, 2012 Yes	Yes	Yes			
\$ 55.00 NAP	Steno P II	Fertilizer	December 31, 2012 No	No	No			
\$ 55.00 NAP	PAL™	Soil Amendment	December 31, 2012 No	No	No			
\$ 55.00 NAP	Steno K™	Fertilizer	December 31, 2012 No	No	No			
\$ 55.00 NAP	Steno S™	Fertilizer	December 31, 2012 No	No	No			
\$ 55.00 NAP	Zinc Polyamine™	Fertilizer	December 31, 2012 Yes	Yes	Yes			
\$ 55.00 NAP	GA-PHOS™	Fertilizer	December 31, 2012 Yes	Yes	Yes			
\$ 55.00 NAP	GA-PHOS™	Fertilizer	December 31, 2012 Yes	Yes	Yes			
\$ 55.00 NAP	MAG-P-O-SUL	Fertilizer	December 31, 2012 Yes	Yes	Yes	02/18/03	03/03/03	June 1, 2005
\$ 55.00 NAP	M-P-A Smart Grow	Fertilizer	December 31, 2012 No	No	No	02/18/06	03/03/06	October 13, 2008
\$ 55.00 NAP	Steno MKS	Fertilizer	December 31, 2012 No	No	No			
\$ 55.00 NAP	Soil-Max	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 55.00 NAP	M-P-A Row Crop	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	02/18/10	03/03/10	
\$ 55.00 NAP	Fus-Vac 3	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 55.00 NAP	Emulate 10-45-10-4(S)	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 55.00 NAP	Emulate 20-20-20	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 55.00 NAP	Amu-P-2	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 55.00 NAP	Humic Acid 8%	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 55.00 NAP	Coppex PolyAmnia	Fertilizer/Soil Amendn	December 31, 2012 Yes	Yes	Yes	03/18/10	03/03/10	
\$ 55.00 NAP	Magnesium PolyAmnia	Fertilizer/Soil Amendn	December 31, 2012 Yes	Yes	Yes	03/18/10	03/03/10	
\$ 55.00 NAP	Magnesium PolyAmnia	Fertilizer/Soil Amendn	December 31, 2012 Yes	Yes	Yes	03/18/10	03/03/10	
\$ 55.00 NAP	Steno K DS	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 55.00 NAP	Steno P DS	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 55.00 NAP	Steno S DS	Fertilizer/Soil Amendn	December 31, 2012 No	No	No	03/18/10	03/03/10	
\$ 1,453.00								
\$ 170.00 NAP	Bozzonine	Passive	June 31, 2013	No	Yes			October 15, 2016

Virginia								
Cost	Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted Label Revision
\$ 160.00	Bloomtime	NAP	Pesticide	December 31, 2012		x		Sent electronically 12/2011

** Anything not highlighted does not have documentation of 2010 licence in State Registration book

WASHINGTON

<http://agr.wa.gov/FertFertilizers/ProductRegistration.aspx>

Cost	Product	Type	Renewal Date Submitted	Granted	Label Date
\$50.00	NAP	Fertilizer	June 30th, 2013		
\$50.00	(ten) 10-10-10	Fertilizer	June 30, 2013		
\$50.00	4% Micro Iron Chelate	Fertilizer	June 30, 2013		
\$50.00	Acita Cal	Fertilizer	June 30, 2013		
\$50.00	Alpha Max	Fertilizer	June 30, 2013		
\$50.00	Between 0-10-6	Fertilizer	June 30, 2013		
\$50.00	Blue Grn Timothy bld	Fertilizer	March 20th, 2010		
\$50.00	Boron Polyamine	Fertilizer	June 30, 2013		
\$50.00	Buflit MG	Fertilizer	June 30, 2013		
\$50.00	Cal Plex 13	Fertilizer	June 30, 2013		
\$50.00	Cal-Bor	Fertilizer	June 30, 2013		
\$50.00	Calcium Polyamine	Fertilizer	June 30, 2013		
\$50.00	Cal-Plex 12	Fertilizer	June 30, 2013		
\$50.00	Cal-Plex 13%	Fertilizer	June 30, 2013		
\$50.00	CFM-Custom Formul	Fertilizer	June 30, 2013		
\$50.00	Compac 300 4-2-0	Fertilizer	June 30, 2013		
\$50.00	Compac 400 10-19-9	Fertilizer	June 30, 2013		
\$50.00	Compac 500 Micro	Fertilizer	June 30, 2013		
\$50.00	Cop-Plex	Fertilizer	June 30, 2013		
\$50.00	Copper Polyamine	Fertilizer	June 30, 2013		
\$50.00	Oxi Phos 1 6-18-2	Fertilizer	June 30, 2013		
\$50.00	Eminate 20-20-20	Fertilizer	June 30, 2013		
\$50.00	Eminate 10-45-10 +-4	Fertilizer	June 30, 2013		
\$50.00	High Shield Plus	Fertilizer	June 30, 2013		
\$50.00	Hop Plex 0-0-19	Fertilizer	June 30, 2013		
\$50.00	Hydrox 0-0-8	Fertilizer	not renewed		
\$50.00	Hydrox-K 0-0-10	Fertilizer	not renewed		
\$50.00	Intracept	Fertilizer	June 30, 2013		February 2, 2009
\$50.00	Iron Polyamine	Fertilizer	June 30, 2013		
\$50.00	K-Boost 0-0-21	Fertilizer	June 30, 2013		
\$50.00	MAG-KO-SUL	Fertilizer	June 30, 2013		June 1, 2008
\$50.00	Yeoman	Fertilizer	June 30, 2013		
\$50.00	Magnesium Polyami	Fertilizer	June 30, 2013		
\$50.00	Manganese Polyamih	Fertilizer	June 30, 2013		
\$50.00	Micro Mang Chelate	Fertilizer	June 30, 2013		
\$50.00	Micro-Pak	Fertilizer	not renewed		
\$50.00	Micro-Pak Polyamine	Fertilizer	June 30, 2013		
\$50.00	M-P-A	Fertilizer	June 30, 2013		October 13, 2008
\$50.00	M-P-A Compac	Fertilizer	June 30, 2013		
\$50.00	M-P-A Row Crop	Fertilizer	June 30, 2013		
\$50.00	M-Starter Row Crop	Fertilizer	June 30, 2013		October 13, 2008
\$50.00	Nutri-Plex 0-0-8	Fertilizer	not renewed		
\$50.00	Nutri-Plex High Shld Plus 2-0-8	Fertilizer	June 30, 2013		
\$50.00	Ortho Phos Plus	Fertilizer	not renewed		
\$50.00	Performance 7-27-6	Fertilizer	June 30, 2013		
\$50.00	Performance Plus	Fertilizer	June 30, 2013		
\$50.00	Plus Charge 8-32-5	Fertilizer	not renewed		
\$50.00	Primeshot 3-18-18	Fertilizer	June 30, 2013		
\$50.00	Steric Cal Phos 0-6-0	Fertilizer	June 30, 2013		

\$50.00	NAP	STERIC K DS	Fertilizer	June 30, 2013	March 23, 2009	April 29, 2009	
\$50.00	NAP	Steric Micro Copper	Fertilizer	June 30, 2013			
\$50.00	NAP	Steric Micro Iron 5%	Fertilizer	June 30, 2013			
\$50.00	NAP	Steric Micro Magnesi	Fertilizer	June 30, 2013			
\$50.00	NAP	Steric Micro Mangan	Fertilizer	June 30, 2013			
\$50.00	NAP	Steric Micro Zinc	Fertilizer	June 30, 2013			
\$50.00	NAP	Steric MKS	Fertilizer	June 30, 2013			June 1, 2008
\$50.00	NAP	STERIC P DS	Fertilizer	June 30, 2013	March 23, 2009	April 29, 2009	
\$50.00	NAP	STERIC P III	Fertilizer	June 30, 2013	February 2, 2009	February 25, 2009	
\$50.00	NAP	Steric-K	Fertilizer	June 30, 2013			
\$50.00	NAP	Steric-S	Fertilizer	June 30, 2013			
\$50.00	NAP	Stv-Phos 4-30-8	Fertilizer	June 30, 2013			
\$50.00	NAP	Tree Shield 0-0-19	Fertilizer	June 30, 2013			
\$50.00	NAP	Wick OG	Fertilizer	June 30, 2013			
\$50.00	NAP	Yeoman brand Organic N 5%	Fertilizer	not renewed			
\$50.00	NAP	Zinc Chelate 10%	Fertilizer	June 30th, 2013			
\$50.00	NAP	Zinc Polyamine	Fertilizer	June 30th, 2013	March 17, 2011	April 4, 2011	
\$50.00	NAP	Fruitplex	Fertilizer	June 30th, 2013	March 24, 2011	April 11, 2011	
\$50.00	NAP	Intra-Phos	Fertilizer	Pending	January 12, 2013		October 8, 2012
\$50.00	NAP	ChelAmine Granular Zinc 10%	Fertilizer	Pending	January 12, 2013		April 20, 2012
\$50.00	NAP	FruitPlex-O	Fertilizer	Pending	January 12, 2013		April 20, 2012
\$50.00	NAP	Intracept-O	Fertilizer	Pending	January 12, 2013		
\$3,450.00		Total every 2 years					

WISCONSIN

Cost	Product	Brand	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Revision
	INTRACEPT	NAP	Soil or Plant Additive	March 31, 2013	Y	Y			9/1/2010
	Sterc K	NAP	Soil or Plant Additive	March 31, 2013					10/18/2010
	STERIC K DS	NAP	Soil or Plant Additive	March 31, 2013					
	STERIC P DS	NAP	Soil or Plant Additive	March 31, 2013					
	Sterc P III	NAP	Fertilizer	August 14, 2013					10/5/2010
	Sterc S	NAP	Soil or Plant Additive	March 31, 2013					10/18/2010
	STERIC S DS	NAP	Soil or Plant Additive	March 31, 2013					

Requires two license soil/plant additive and fertilizer

Pennsylvania

Product
Bloomtime

Brand
NAP

Type
Pesticide

Renewal Date
December 31, 2012

OMRI

WSDA
x

Submitter **Granted** **Label Revision**

CANADA

Brand	Product	File Number	Type	Renewal Date	OMRI	WSDA	Submitted	Granted	Label Revision
NAP	5% Calcium	Not Required	Fertilizer	NA	Yes	Yes	December 26, 2007	February 5th 2009	Removed Foliar usa
NAP	2% Magnesium	Not Required	Fertilizer	NA	Yes	No	September 14, 2005	September 21, 2005	
NAP	OXI PHOS	Not Required	Fertilizer	NA	No	Yes	December 26, 2007	May 13th, 2009	
NAP	Bloomtime Biological™ Slopesticide	Reg No 28436	Pesticide	December 31st, 2014	Yes	Yes	December 26, 2007	May 13th, 2009	
NAP	5.8% Zn	18953NR	Fertilizer	May 13, 2012	Yes	Yes	December 26, 2007	February 16th 2009	Did not renew
NAP	6.45%Mn	18954NR	Fertilizer	May 13, 2012	Yes	Yes	December 26, 2007	February 16th 2009	Did not renew
NAP	2% Cu	18955NR	Fertilizer	June 30th 2010	No	No	December 26, 2007	February 10th 2009	Did not renew
NAP	MFA Row Crop	18956NR	Fertilizer	June 30th 2010	No	Yes	December 26, 2007	February 23th 2009	Did not renew
NAP	Intracapt	18958NR	Fertilizer	November 2nd 2014	Yes	Yes	December 26, 2007	February 10th 2009	Did not renew
NAP	COMPAC 300	18946NR	Fertilizer	June 30th 2010	No	No	December 26, 2007	February 10th 2009	Did not renew

EXHIBIT B

NAP Business Operating Licenses

Accountable

<u>Expiration Date</u>	<u>State</u>	<u>Description</u>	<u>Issuing Agency</u>
12/31/2001	WA	IFTA License	Dept. of Licensing
12/31/2001	WA	IFTA License	Dept. of Licensing
10/31/2003	WA	Domestic Profit Corp License	Dept. of Licensing/Master License Svc
12/31/2003	WA	Tax Registration / Bulk Fertilizer Distributor	Dept. of Licensing/Master License Svc
12/31/2003	WA	IFTA License	Dept. of Licensing
10/31/2004	WA	Domestic Profit Corp License	Dept. of Licensing/Master License Svc
10/31/2004	WA	Tax Registration / Bulk Fertilizer Distributor	Dept. of Licensing/Master License Svc
10/31/2005	WA	Domestic Profit Corp License	Dept. of Licensing/Master License Svc
10/31/2005	WA	Tax Registration / Bulk Fertilizer Distributor	Dept. of Licensing/Master License Svc
12/31/2005	WA	City of Pasco Business Licence	City of Pasco
12/31/2005	WA	IFTA License	Dept. of Licensing
10/31/2006	WA	Domestic Profit Corp License	Dept. of Licensing/Master License Svc
10/31/2006	WA	Tax Registration / Bulk Fertilizer Distributor	Dept. of Licensing/Master License Svc
12/31/2006	WA	City of Pasco Business Licence	City of Pasco
12/31/2006	WA	IFTA License	Dept. of Licensing
10/31/2007	WA	Domestic Profit Corp License	Dept. of Licensing/Master License Svc
10/31/2007	WA	Tax Registration / Bulk Fertilizer Distributor	Dept. of Licensing/Master License Svc
12/31/2007	WA	City of Pasco Business Licence	City of Pasco
12/31/2007	WA	IFTA License	Dept. of Licensing
8/14/2008	WI	Fertilizer License	Wisconsin Dept of Agriculture
10/31/2008	WA	Domestic Profit Corp License	Dept. of Licensing/Master License Svc
10/31/2008	WA	Tax Registration / Bulk Fertilizer Distributor	Dept. of Licensing/Master License Svc
12/31/2008	WA	City of Pasco Business Licence	City of Pasco
12/31/2008	WA	IFTA License	Dept. of Licensing
3/31/2009	WI	Soil and Plant Additive License	Wisconsin Dept of Agriculture
10/31/2009	WA	Tax Registration / Bulk Fertilizer Distributor	Dept. of Licensing/Master License Svc
10/31/2009	WA	Domestic Profit Corp License	Dept. of Licensing/Master License Svc

EXHIBIT C

Status	Registration # & Date	Renew Filing Date	Pub/Opp	Alloww.	Statement of User
Abandoned	NAMA (Patt. #)	2002-Apr-4			
Abandoned	LEAF-EED (75906426)	2000-Feb-3			
Abandoned	POLY-FLOC (76238123)	2001-Apr-9			
Abandoned	AMINO-FLEX (77036736)	2005-Nov-3			
Abandoned	BETALINK (75334501)	2002-Sep-3			
Abandoned	Better Surface Better Solutions (776636345)	2008-Nov-3			
Abandoned	COMPLEXER 2 (743398521)	1993-Jun-7			
Abandoned	Green Crop (78815080)	2008-Feb-15			
Abandoned	IGNITION (76206236)	2001-Oct-23			
Abandoned	INTRACON (76206236)	2007-Mar-20			
Abandoned	KOOL-SUL (77046649)	2007-Jul-27			
Abandoned	N-SAVE (77260891)	2001-Jan-29			
Abandoned	ORTHIO-PHOS-POLIS (76201209)	2001-Apr-9			
Abandoned	POLYAMINE (76236121)	2006-Apr-5			
Abandoned	POLYAMINE (75959025)	2005-May-22			
Abandoned	PolyAmine (78803726)	2001-Jan-22			
Abandoned	STRIKE (78197623)	2002-Oct-30			
Abandoned	Yeoman (78180402)	2007-Feb-27			
Abandoned	Surface DS (77418329) (NEW 77789911)	2007-Sep-14			
Abandoned	Surfact 50 (77244341) (NEW 77782102)	2007-May-30			
Abandoned	TROCAR (77193816)	2008-May-25			
Abandoned	BioSense Technologies Group (77116884)	2008-May-25			
Abandoned	N-SURE-ZINC (77145344)	2002-Apr-9			
Approved	LINEARSTAR (76238122)	2012-2001-Feb-27	2001-Jun-4		
Approved	M.P.A (76238120)	2012-2001-Apr-9	2001-Sep-4		
Approved	STRYKE (76558910)	2015-2005-Jan-31	2005-Dec-13		
Approved	Knock-Out (78771159)	2012-2005-Dec-12	2008-Aug-8		
Approved	Solution DS (78771211)	2012-2005-Jun-5	2007-Aug-8		
Approved	EOS Plant Technology Solutions (76583411)	2012-2005-Mar-19	2008-Jun-20		
Approved	Constant Dugher (77489175)	2014-2008-May-7	2008-Mar-17		
Approved	Serie P MS (77605238)	2014-2008-Oct-31	2008-Mar-17		
Approved	Serie P DS (77605332)	2014-2008-Dec-18	2008-Mar-17		
Approved	STERIC K DS (77684261)	2014-2008-Oct-12	2008-Jul-21		
Approved	STERIC S DS (77684261)	2014-2008-Mar-5	2008-Jul-21		
Approved	EXIMATE (76234261) restricted	2016-2010-Mar-29	2010-Jul-21		
Approved	FuelPro EX (76070336)	2016-2010-Mar-29	2010-Oct-19		
Approved	Serie P III (85660731)	2016-2010-May-28	2010-Oct-19		
Approved	Serie K (85660731)	2016-2010-May-28	2010-Oct-19		
Approved	Serie S (85660731)	2016-2010-May-28	2010-Oct-19		
Approved	NAPI logo (85251740)	2016-2011-Feb-28	2016-Mar-6		
Approved	Steries logo (85251782)	2016-2011-Feb-28	2016-Mar-6		
Approved	Bloomingtime (85352543)	2017-2011-May-27	2017-Mar-11		
Approved	STERIC P DS (EU) (00353505211)	2017-2011-May-27	2017-Mar-11		
Approved	CHELMINE ORGANIC (86338901)	2017-2012-Mar-6	2017-Mar-6		
Approved	STERIC K LS (85562072)	2017-2012-Mar-6	2017-Mar-6		
Approved	STERIC P LS (85562047)	2017-2012-Mar-6	2017-Mar-6		
Pending	ClearCrop (85726836)	2013-2013-Sep-11	2013-Sep-11		
Pending	Reggie Tiger (85921600)	2013-2013-Jan-15	2013-Jan-15		
Pending	Ron's Change (85935111)	2013-2013-Jan-15	2013-Jan-15		
Pending	Solutions Through Science	2013-2013-Jan-15	2013-Jan-15		
Pending	Z NAF Protection (2006)	2013-2013-Jan-15	2013-Jan-15		